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FROM : Amembassy CANBERRA

DATE: August 7, 1969

SUBJECT: Territorial Sea - AUSTRALIA

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Canberra 4073, August 1, 1969

CINCPAC FOR POLAD

As promised in the Embassy's telegram under reference, enclosed is a copy of a Ministerial Statement made by Australia's Attorney General on October 31, 1967, before the Australian House of Representatives, concerning the Government of Australia's intentions to draw straight baselines across certain Australian "internal waters."

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Enclosure:

Extract from The Hansard, 10/31/67,  
page 2445

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Enclosure to  
Canberra A-335

## TERRITORIAL SEA BASELINES

### Ministerial Statement

Mr BOWEN (Parramatta—Attorney General)—by leave—I wish to inform the House of certain adjustments that the Government has decided to make with regard to the baselines from which the breadth of the 3-miles belt of territorial sea around Australia and the external Territories will henceforth be measured. The adjusted baselines will also be used for the measurement of the breadth of the 12-miles exclusive fisheries zone which is the subject of a Bill now before the House. The changes accord with current rules of international law and are specifically authorised by the International Convention of the Territorial Sea and the Contiguous Zone, to which Australia and other countries, including Britain and the United States, are parties.

The general international rule that has hitherto applied, and that continues to apply under the Convention, is that the baseline for the measurement of the territorial sea follows the low-water line along the coast. However, it has long been recognised that straight baselines may be drawn across bays. The waters on the landward side of these baselines are technically known as 'internal waters' and, in Australia's case, they form part of the State or Territory to which they are adjacent.

Under Australia's present policy, the straight baselines drawn across bays do not exceed 10 miles in length. The Convention authorises the drawing of straight baselines up to 24 miles in length across bays that meet the criteria specified in the Convention, and the Government has decided to apply this principle, wherever relevant, around the coasts of Australia and of the Territories.

Three deep indentations around the Australian coast—Shark Bay, St Vincent Gulf and Spencer Gulf—all of which are 'bays' under the criteria specified in the Convention—would not be completely enclosed by baselines 24 miles in length. Shark Bay, at least, is probably already under Australian sovereignty as an 'historic bay'. But in any event the Convention authorises the drawing of straight baselines

exceeding 24 miles in length where a coastline is deeply indented or cut into, provided that no appreciable departure from the general direction of the coast is involved. Straight baselines will accordingly be drawn across the entrances to Shark Bay and the two South Australian Gulfs.

Mr Speaker, I have given the House a statement of the general principles. The Government plans in due course to publish a map, or series of maps, in order to inform the public of the effect of the application of these principles to Australia.